

Sage Canyon Ranch Tree, Brush, Shrub, Hedges Proposed Guidelines

As per California HOA law:

Irrigation:

The homeowner will install, maintain and irrigate all front, back, and slope (if there is one) landscape on his or her lot. Notwithstanding the foraging, the Association shall maintain landscaping located within the Association Easement Area portion of the lots.

Trees:

Trees are to be trimmed and pruned away from existing structures and other trees. This includes fences, roofs, sheds, or other permanent structures. Trees that infringe upon a neighbor's property and drop debris onto said neighbor's property may be trimmed back to the property line by the neighboring owner. California law permits a property owner to trim back to the property line any branches from an adjacent owner's tree if doing so will not kill or seriously harm the tree. Please note that the branches cannot be trimmed past the property line without risking potential homeowner liability. If the area in question is Association Easement Area, the Association may trim the trees. Trees shall be pruned and trimmed to maintain the aesthetic quality of the community.

For this purpose, Sage canyon Ranch includes San Marcos City Ordinance 10.48.060 – Landscaping, for architectural guideline enforcement:

It shall be a violation for any person owning, leasing, occupying or having charge of any property within the City of San Marcos to inadequately maintain landscaping which is visible from any public street, or public right-of-way and which, either alone or in combination with other conditions on the subject property, degrades the aesthetic quality in the immediate vicinity, including without limitation any of the following:

To clarify - As per CA. HOA Law: The Association has the authority to enforce the governing documents against the owners of the lots even when the lots are not occupied by the owners.

Ground Cover Required - Lack of vegetation, lawn, shrubs or other decorative ground cover on any improved property when compared to other properties in the surrounding neighborhood so as to cause dust, erosion or the accumulation of debris shall not be permitted.

Lawn Standards - Lawn areas and ground cover that is dead and/or exceeds a height of six inches from grade; or lacks plant material necessary to prevent erosion or prevent an unsightly landscape appearance that contributes to conditions that cause blight and property degradation shall not be permitted. Ornamental grasses that exceed six inches in height are exempt from the height limitation set forth in this section.

Trees and other Vegetation - Dead or hazardous trees and other vegetation that are unsightly or dangerous to public health, safety and welfare, or contributes to blight and property degradation shall not be permitted.

Overgrown Vegetation - Overgrown vegetation likely to: harbor rats, vermin and other nuisances dangerous to public health; cause a detriment to neighboring property; contribute to conditions that cause blight and property degradation, or grow into the public right-of-way such that it obstructs the view of drivers on public streets or private driveways, or substantially obstructs the use of a public sidewalk area shall not be permitted. Vegetation that hangs over the edge of a public sidewalk must have a vertical clearance of seven feet. Vegetation over public streets or alleys must be trimmed to a vertical clearance height of 14 feet.

For this purpose, Sage Canyon Ranch imposes the following requirements contained in Section 4291 of the California Public Resource Code, which are enforceable by the city and the HOA:

- (4) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(5) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(6) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

Professional tree trimming services should be retained for trees over roofs and fence lines to maintain the shape and health of the tree.

Hedges

Hedges should be of a uniform height throughout the hedge wall. If hedge is uneven in height, it must be trimmed at the lowest level, evenly across.

Shrubs/grasses/ground cover

All plant material in the front and back yard areas must be kept free of weeds and dead plant material, and well maintained. No landscape material shall cover sidewalks or driveways in the front of the house.

Weeds and dead plant material, including trees, hedges, shrubs/grasses/ground cover shall be promptly removed from property and replaced by the homeowner to maintain the aesthetics of the community.

Plants, trees, and hedges will be replaced as needed, by the homeowner, if they are not properly maintained, if they are dead, if they are dying, or if they are infected with any disease or pest. Any ground cover will be similarly removed as needed and replaced to maintain the aesthetics of the community. Weeds shall not be permitted to exist on any lot.

Planters and areas not covered with grass must be covered with ground cover, mulch, or rock. There should not be bare dirt. Mulch, bark, or any cover not alive shall be replaced as needed to refresh color, and not look dated. Homeowners may wish to consider permanent mulch that does not fade.

Any plant debris must be picked up to maintain the appearance of the property.

Fences

No landscaping shall be permitted to push or grow on a shared fence, so as to damage the fence, creating a need to replace the fence sooner than necessary for both property owners.

For this purpose, Sage canyon Ranch includes San Marcos City Ordinance 10.48.050 –Fences, Gates and Walls, for architectural guideline enforcement:

It shall be a violation for any person owning, leasing, occupying or having charge of any property within the City of San Marcos to allow any fence, gate, wall or similar structure on said property to sag, lean, or have missing boards or bricks, or fallen over or otherwise be in an unsafe condition, or constitute an unsightly appearance, or left in a state of partial construction or disrepair.